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November 7, 2022

VIA ECF

Honorable Philip M. Halpern
United States District Court
Charles L. Brieant Federal Courthouse
300 Quorropas Street
White Plains, New York 10601-4150

Re: *Delux Public Charter, LLC, et al. v. County of Westchester, et al.*
(Index No. 22-cv-01930)

Dear Judge Halpern:

Pursuant to the Court's Individual Practices Rule 1.1, Plaintiffs Blade Urban Mobility, Inc. ("Blade"); JetSuiteX, Inc. ("JetSuiteX"); Delux Public Charter, LLC d/b/a JSX Air ("Delux"); and XO Global LLC ("XO Global") (collectively "Plaintiffs") submit this letter to respectfully request that the parties be permitted to deviate in two respects from the Court's form Model Confidentiality Stipulation and Proposed Protective Order. The parties have met and conferred and the County has agreed to these deviations.

Good cause exists for the deviations. One of the two proposed deviations is to include in-house counsel, *i.e.* attorneys who are employees of a party to this action, and outside general counsel, *i.e.* attorneys who are not employees of a party to this action or counsel of record for this action, but are retained to represent or advise a party to this action, as persons subject to the Confidentiality Stipulation and Proposed Protective Order. A copy of the redlined proposed revisions to the Court's form Model Confidentiality Stipulation and Proposed Protective Order is attached as **Exhibit A**. These modifications are necessary because (1) Plaintiffs' in-house counsel and/or outside general counsel are assisting Plaintiffs' counsel-of-record for this litigation; and (2) Defendants' County Counsel are the counsel-of-record for this matter but would otherwise not fall within the list of parties subject to the Model Confidentiality Stipulation and Proposed Protective Order because they are not specifically retained for this litigation. The parties believe including in-house counsel and outside general counsel to the Confidentiality Stipulation and Proposed Protective Order will substantially streamline issues for discovery and expedite the resolution of this case. The second deviation is to note Plaintiffs' position and the County's disagreement regarding whether the County's and its agents' documents should be presumed public.

Plaintiffs therefore respectfully request that the slightly modified Confidentiality Stipulation and Proposed Protective Order attached as **Exhibit B** be So Ordered by the Court for good cause shown.

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Respectfully submitted,

/s/ Samrah R. Mahmoud
Samrah R. Mahmoud (admitted *pro hac vice*)

cc: Counsel of Record (via CM/ECF)